

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**In re Terrorist Attacks on September 11,  
2001**

**03 MDL 1570 (GBD)(SN)  
ECF Case**

**This document relates to:**

*Ashton et al. v. al Qaeda Islamic Army, et al., 02-cv-6977 (GBD)(SN) (and member case  
Marie Laure Anaya, et al. v. Islamic Republic of Iran, 1:18-cv-12341(GBD) (SN)))*

**PLAINTIFFS' NOTICE OF MOTION FOR (1) JUDGMENT BY DEFAULT  
AS TO LIABILITY OF ISLAMIC REPUBLIC OF IRAN PURSUANT TO  
28 U.S.C. § 1605A(c), AND (2) PARTIAL FINAL JUDGMENTS FOR SOLATIUM  
AND PAIN AND SUFFERING DAMAGES FOR CERTAIN PLAINTIFFS**

**PLEASE TAKE NOTICE** that, by and through their undersigned counsel and upon the accompanying Memorandum of Law, the Declaration of Joseph Peter Drennan executed on June 23, 2021, together with the Exhibits annexed thereto, the evidence filed in the above-captioned multidistrict litigation on May 19, 2011 (ECF Nos. 273-76 in 1:03-cv-1570-GBD-SN), July 13, 2011 (ECF No. 280) and August 19, 2011 (ECF No. 284), and the evidence presented at the December 15, 2011 hearing on liability, and all prior pleadings and proceedings had herein,

(1) all Plaintiffs in the above-captioned *Marie Laure Anaya, et al. v. Islamic Republic of Iran, 1:18-cv-12341 (GBD) (SN)*, except Tracy Anne Larkey, individually and as Personal Representative of the Estate of Robin Blair Larkey, Nicholas Blair Larkey, Oliver Robin Larkey, and William James Larkey, (the “*Anaya Plaintiffs*”) respectfully move this Court pursuant to 28 U.S.C. Section 1608(e) and Rule 55(b) of the Federal Rules of Civil Procedure for judgment by default against the Islamic Republic of Iran as to its liability to the *Anaya Plaintiffs* under 28 U.S.C. Section 1605A(c);

(2) those *Anaya* Plaintiffs identified in Exhibit A to the Drennan Declaration, each of whom is a U.S. citizen and a spouse, parent, child, sibling, or the estate of a parent or child, of an individual killed in the terrorist attacks on September 11, 2001, respectfully move this Court pursuant to 28 U.S.C. Section 1608(e) and Rules 54(b) and 55 of the Federal Rules of Civil Procedure for a final order of partial judgment awarding them against the Islamic Republic of Iran compensatory damages for solatium in the same amounts previously awarded to immediate family members of decedents killed in the September 11 attacks, and prejudgment interest thereon at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment;

(3) those *Anaya* Plaintiffs identified in Exhibit B to the Drennan Declaration, each of whom is a personal representative of the estate of a U.S. citizen who was killed in the terrorist attacks on September 11, 2001, respectfully move this Court pursuant to 28 U.S.C. Section 1608(e) and Rules 54(b) and 55 of the Federal Rules of Civil Procedure for a final order of partial judgment awarding them against the Islamic Republic of Iran compensatory damages for pain and suffering in the same amount previously awarded to the estates of other decedents killed in the September 11 attacks, and prejudgment interest thereon at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment; and

(4) all *Anaya* Plaintiffs respectfully reserve the right to seek such other and further relief as the Court deems just and proper.

Dated: June 23, 2021  
White Plains, New York

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